

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,	:	
	:	HONORABLE JOSEPH E. IRENAS
Plaintiff,	:	CRIMINAL ACTION NO. 02-219
	:	
v.	:	
	:	ORDER DENYING REQUEST FOR
Brent Fregia	:	EARLY TERMINATION OF
	:	SUPERVISED RELEASE
Defendant.	:	
	:	

APPEARANCES:

RALPH J. MARRA, JR., ACTING UNITED STATES ATTORNEY
By: Jason M. Richardson, Assistant United States Attorney
Camden Federal Building and U.S. Courthouse
401 Market Street, 4th Floor
P.O. Box 2098
Camden, NJ 08101
Counsel for Plaintiff

CHRISTOPHER H. O'MALLEY
Office of the Federal Public Defender
800-840 Cooper Street
Suite 350
Camden, NJ 08102
Counsel for Defendant

IRENAS, Senior District Judge:

This matter having appeared before the Court upon Defendant's undated letter received February 2, 2009 requesting early termination of probation, and it appearing that:

(1) Judgement of conviction was entered and Defendant was sentenced on August 6, 2004 to a term of imprisonment of 54 months, followed by three years of supervised release with the standard conditions, after pleading guilty to the charge of possession of a weapon by a convicted felon in violation of 18

U.S.C. §§ 922(g)(1)-(2). Defendant satisfactorily completed his term of imprisonment and 18 months of his supervised release.

(2) The Court is permitted to terminate a term of supervised release pursuant to 18 U.S.C. § 3583(e)(1) if such action is warranted by Defendant's conduct and is in the interests of justice.

(3) Defendant has complied with the terms of his supervised release for the past 18 months. He offers his absence of infractions, continued employment, and re-establishment of family ties over the first half of his term of supervised release as the only bases for early termination.

(4) However, "[m]erely complying with the terms of his probation and abiding by the law are not in and of themselves sufficient to warrant early termination of probation; rather, this is simply what is expected of Defendant." *United States v. Caruso*, 241 F. Supp. 2d 466, 469 (D.N.J. 2003) (quoting *United States v. Paterno*, No. 99-037, 2002 WL 1065682 (D.N.J. Apr. 30, 2002)).

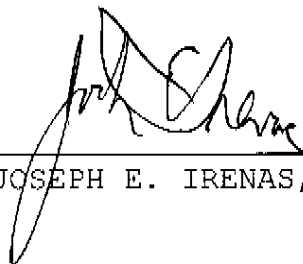
(5) Defendant has failed to identify any "new or exceptional" circumstances to justify early termination of supervised release. See *id.* at 468.

And for good cause shown,

IT IS on this 17th day of February, 2009,

ORDERED THAT:

(1) Defendant's request for early termination of probation
is hereby **DENIED**.



JOSEPH E. IRENAS, SUSDJ